THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.24551 of 1997

Dated: 31.01.2007

Between:

Pamu Mrutyunjaya Rao S/o late Urbanna

..... PETITIONER

AND

The District Collector, Visakhapatnam
and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.24551 of 1997

ORDER:

Petitioner claims to be a landless poor person and belongs to Scheduled Caste. He challenges the action of the respondents in canceling the D-Form patta granted in his favour in respect of the land admeasuring Acs.5.00 in Sy.No.1/2 of Jerripothulapalem village, and also seeks a direction to the respondents to issue pattadar pass book in his favour in respect of the said land.

It is the case of the petitioner that he has been in possession and enjoyment of the said land since 1976 and considering the same, D-Form patta was granted in his favour by the revenue authorities in respect of the said land. The said land was full of shrubs and jungle ground and the petitioner spent huge amount for bringing the said land under cultivation. He was paying revenue to the Government regularly. In the

year 1994, the Village Administrative Officer refused to receive the land revenue stating that the petitioner does not have pattadar pass book. On his representation, the first respondent, by his letter dated 12.06.1996 informed him that the D-Form patta granted in his favour was cancelled and as such he cannot be issued any pattadar pass book. Hence, this writ petition.

Despite the fact that the writ petition is of the year 1997, the respondents have not chosen to file their counter till now.

Heard both the counsel.

A perusal of the letter dated 12.06.1996 addressed by the first respondent to the petitioner shows that the D-Form patta granted in favour of the petitioner was already cancelled and therefore, the pattadar pass book was not issued in his favour. In the light of the same, the respondent-authorities are hereby directed to furnish a copy of the said cancellation order to the petitioner within a period of four weeks from the date of receipt of a copy of this order, and on receipt of the same, the petitioner shall file an appeal under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977. As the petitioner continues to be in possession of the land in question, the respondents are directed not to dispossess the petitioner from the said land pending disposal of the appeal.

With the above directions, the writ petition is disposed of. There shall be no order as to costs.

31.01.2007

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